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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,734	08/04/2003	Antti Kiiveri	915-008,012	6648
4955 7590 04/26/2010 WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN, BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468				
			EXAMINER	
			PERUNGAVOOR, VENKATANARAY	
			ART UNIT	PAPER NUMBER
			2432	
			MAIL DATE	DELIVERY MODE
			04/26/2010 PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/634,734

## Applicant(s)

KIIVERI ET AL.

## Examiner

Venkat Perungavoor

## Art Unit

2432

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4-8, 10-14 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-8, 10-14, 16-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB-06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 1/22/2010 have been fully considered but they are not persuasive.

The Applicant argues that Morgan fails to disclose the modes being set and access to protected data being based on mode. And further Grawrock does not disclose the protected area containing protected data, relating to security.

The Examiner respectfully disagrees. Morgan discloses the modes being relating to access to data based on full-access or restricted access see Fig. 2 item 214 & 216. And Grawrock discloses the access to data in protected mode to areas where security information is stored see Col 3 Ln 50-56 & Col 3 Ln 64-Col 4 Ln 5 (where the device-specific security info and registry information are stored and access to these areas are thorough full-access mode). That is, the combination of Morgan and Grawrock discloses the accessing of secure data containing security information based on the mode, restricted or full-access mode.

### ***Claim Rejections - 35 USC § 103***

Claims 1-2, 4-8, 10-14, 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 698459 to Morgan in view of US Patent 2003/0196100 to Grawrock et al.(hereinafter Grawrock).

Regarding Claim 1, 7, 13, Morgan discloses the at least one storage area in storage circuit, in which storage area protected data relating to security functions of circuitry are located see Col 1 Ln 55-62; mode setting means arranged to set processor in at least two different operating modes, the mode setting means being capable of altering the processor operating mode see Col 7 Ln 8-16; storage circuit access control means arranged to enable said processor to access the storage area in which said protected data are located when first processor operating mode is set wherein only authenticated software authenticated by said authentication means and said protected applications have access to said protected data; and see Fig. 2 item 214. But Morgan does not explicitly disclose the authenticating the software and only authenticated software and protected applications having access to protected area of storage nor preventing access when second mode is set. However, Grawrock discloses the authenticating the software and only authenticated software and protected applications having access to protected area of storage see Par. 0015 & Par. 0021-0022; storage circuit access control means arranged to prevent said processor from accessing said storage area in which protected data are located when a second processor operating mode is set, thereby enabling said at least one processor to execute non-verified software downloaded into the circuitry see Par. 0015. It would be obvious to one having ordinary skill in the art at the time of the invention to include the authenticating of software and only authenticated software having access to protected area in the invention of Morgan in order to have only trusted applications access secure areas as taught in Grawrock see Par. 0022.

Regarding Claim 4, 10, 16, Morgan discloses the means to indicate which mode the processor is operating see Col 6 Ln 23-35.

**Claim 2, 6, 8, 12, 14, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6968459 to Morgan in view of US Patent 2003/0196100 to Grawrock et al.(hereinafter Grawrock) and further in view of US Patent 2001/0055980 A1 to Sato.**

Regarding Claim 2, 8, 14, Morgan does not disclose the timer arranged to control a time period during which processor is in second mode. However, Sato discloses the timer being used to control period of usage see Par. 0014. It would be obvious to one having ordinary skill in the art at the time of the invention to include the timer being used to control period of usage in the invention of Morgan in order to division of usage on CPU and memory as taught in Par. 0015.

Regarding Claim 6, 12, 18, Morgan does not disclose the circuitry being in a mobile telecommunication terminal. However, Sato discloses the circuitry being in a mobile telecommunication terminal see Fig. 2 item 23.

Claim 5, 11, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6968459 to Morgan in view of US Patent 2003/0196100 to Grawrock et al.(hereinafter Grawrock) and further in view of US Patent 2002/0040442 A1 to Ishidera.

Regarding Claim 5, 11, 17, Morgan does not disclose the mode setting means comprise an application program. However, Ishidera discloses the mode setting means comprises an application program see Fig. 1 item 40. It would be obvious to one having ordinary skill in the art at the time of the invention to include mode setting means comprises an application program in the invention of Morgan in order to have an user access the mode setting feature as taught in Inshidera see Par. 0063.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/V. P./  
Examiner, Art Unit 2432

/Gilberto Barron Jr./  
Supervisory Patent Examiner, Art Unit 2432